

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LIONEL GREG CHASE, JR.,

Defendant.

Case No. 1:16-cr-00265

UNITED STATES' SENTENCING
MEMORANDUM

The United States of America, by Christopher C. Myers, United States Attorney for the District of North Dakota, and Jonathan J. O'Konek, Assistant United States Attorney, respectfully submits this Sentencing Memorandum in the above-entitled case. The United States recommends that this Court sentence the defendant to: 1) serve 60 months' imprisonment; 2) serve a five-year period of supervised release; and 3) pay the \$100 special assessment. The United States has no objection to the presentence investigation report and concurs with the United States Probation and Pretrial Services assessment that the defendant has a guideline imprisonment range of 51 to 63 months imprisonment. Since the defendant pled guilty to the count contained within the Information, at the time of sentencing, the United States will move to dismiss the Indictment.

The Nature and Circumstances of the Offense and the Characteristics of the
Defendant Warrant a Sentence of 60 Months' Imprisonment:

On or about January 2, 2016, the defendant engaged in unwanted penile to vaginal, mouth to vaginal, and mouth to penile sexual intercourse with V.L. in Bismarck, North

Dakota, while V.L.'s mother was at a hospital giving birth to Bethany and the defendant's child. A few days later, the defendant forcibly inserted his finger into V.L.'s vagina. During this time, V.L. was taking care of Bethany and the defendant's newborn child at her mother, Bethany's, home. As V.L. was cleaning her bedroom, the defendant came inside her room and rubbed V.L.'s shoulders. Thereafter, V.L. told the defendant to stop, but the defendant pushed V.L. onto her sister's bed, which was the lower bed of a set of bunk beds. Then, the defendant laid on top of V.L. and inserted at least one finger inside of her vagina. When the defendant engaged in this sexual act with V.L., he told her "you liked it last time." V.L. told him to stop, started crying, and struck the defendant. Once V.L. started crying and striking the defendant, he got off her and told her he got lost in the heat of the moment. During the above listed incidents, the defendant weighed approximately 330 pounds and V.L. weighed approximately 126 pounds.

The defendant used his position as V.L.'s mother's boyfriend to make unwanted sexual advances towards and engage in unwanted sexual acts with V.L. Simply put, the defendant's actions were reprehensible and this Court should punish the defendant for these actions. Consequently, the United States believes that a sentence of 60 months' imprisonment, which is within the applicable sentencing guidelines range is sufficient but not greater than necessary to comply with the purposes set forth in the sentencing guidelines and 18 U.S.C. § 3553(a).

CONCLUSION

Therefore, this Court should sentence the defendant to: 1) serve 60 months' imprisonment; 2) serve a five-year period of supervised release; and 3) pay the \$100 special assessment.

Dated: January 5, 2018.

CHRISTOPHER C. MYERS
United States Attorney

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